

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A medical instrument comprising at least one monolithic memory metal tube of single-piece wall construction programmed for an effect selected from the group of effects consisting of memory effect and superelasticity and consisting of a monolithic side-wall having two non-slotted, solid sections and a slotted in-at least one section thereof therebetween and monolithic therewith having a plurality of slots formed therein defining a retrieval basket ~~monolithic with the wherein tube such that~~ the slotted retrieval basket section is capable of expansion and contraction to surrounding contact, capture and retrieve at least one particle.

2-6. (Previously Canceled)

7. (Previously Amended) A medical instrument comprising at least one memory metal tube programmed for an effect selected from the group of effects consisting of memory effect and superelasticity and having in at least one section thereof a plurality of slots such that the slotted section is capable of expansion and contraction;

further comprising a delivery tube that surrounds at least the slotted section of the memory metal tube during delivery and which is partially removed from surrounding the slotted section of the memory metal tube by a relative longitudinal movement between the respective tubes;

wherein said memory metal tube has a distal end and wherein the slots in the memory metal tube extend to the distal end of the tube and have been programmed to change into inwardly extending bending hooks to define an internal gripper upon delivery from the delivery tube.

8-20. (Previously Canceled)

21. (New) The medical instrument of claim 1 wherein the two non-slotted, solid sections and slotted retrieval basket section therebetween form an open passage absent structure connected to the tube and extending through the open passage to thereby enable the slotted retrieval basket section to surroundingly contact, capture and retrieve the at least one particle.